

**Town of La Pointe Zoning
Town Plan Commission Regular Monthly Meeting Minutes
February 20, 2013**

Town Plan Commission (TPC) Members Present: Ted Pallas, Chair, Charles Brummer, Vice-Chair, Larry Whalen, Greg Thury, Suellen Soucek, Joan Martin, Carey Baxter, Greg Thury (7).

Town Plan Commission members absent: none.

Public Present: Dave Thomas, Paul Brummer, Gene Nelson (3).

Town Staff Members Present: J. Croonborg-Murphy, ZA, Margaretta Kusch, ZCA (2).

I. Call to Order/Roll Call

Chair Pallas called the Meeting to order at 4:30 PM at the La Pointe Town Hall. Roll call reflected members present or absent as recorded above.

II. Public Comment

The Zoning Administrator asks that New Business be moved to the top of the agenda.

Chair Pallas moves to bring item V up at this time. G. Thury seconds. All in favor, 7 aye. Motion carries.

III. Approval of Previous Meeting Minutes

• **Town Plan Commission Special Monthly Meeting, February 6, 2013.**

- In item IV, second sentence, change “Mr. Nelson” to “Charles Nelson.”
- In item VI.a, third sentence, change “old carpets that were put on the ground to kill vegetation” to “existing materials smothering vegetation.”
- In item VI.c, second sentence, add “the occasional” before “weddings.”
- In item VI.c, add a sentence after the third sentence to read “This would require a permit either in the form of a Home Business or a Conditional Use Permit, depending on the Zoning District where the wedding events take place.”
- In item VII, second sentence, change “hasn’t” to “doesn’t have.”

G. Thury moves to approve the Town Plan Commission Special Monthly Meeting minutes of February 6, 2013, as amended. S. Soucek seconds. All in favor, 7 aye. Motion carries.

IV. Zoning Administrator’s Report

Chair Pallas moves that the Town Plan Commission take a ten minute recess. G. Thury seconds. All in favor, 7 aye. Motion carries.

[Meeting recessed from 5:10pm to 5:20pm, at which time the recorder is turned back on and the Town Plan Commission come back to the table.]

IV. Consideration and/or Action of Permit Applications

V. New Business

- **Zoning Administrator request for interpretation: Soucek complaint re: Gene Nelson property at 197 Big Bay Road, LP# 014-00470-0500.**

S. Soucek recuses herself for this item and sits in the audience.

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The Zoning Administrator states that the complaint comprises two issues. Firstly, the complainant is concerned over the open doorways/windows leaving access to a direct drop to the basement creating a hazard for children and animals. Secondly, the complainant questions whether permits were obtained for recent activity at the site/whether permits are expired.

Gene Nelson states that there's no fall into the basement: the walls caved in, so there's a 45 degree slope down. The ladders and stairs inside the building have been removed. He's waiting for the frost to be gone before lifting up the building and pouring a new foundation. He states that he's gotten about 30% of the cost of the project in so far. He feels that he only needed a permit for the additional square footage, which he obtained, and now he's just doing repairs, for which no permit is required.

G. Nelson confirms that the downstairs windows and the front of the building (where the door was) are open.

Chair Pallas feels that the building should be netted off when construction is not in progress.

C. Baxter feels that, as regards Section 15.1.C, the property owner should attempt to reconcile with the complainant.

G. Nelson states that he thought he heard that the Zoning Administrator acted on a phone conversation complaint. The Zoning Administrator responds that she received a phone call from S. Soucek and advised her to file a complaint if she wished.

Chair Pallas moves that if Gene Nelson of Nelson Construction is willing to put up a safety net around the open parts of the building when he's not there working, that that will suffice as far as the issue of keeping the kids and animals out of there. G. Thury seconds. All in favor, 6 aye. Motion carries.

Chair Pallas notes that the 2009 building permit was for an addition/alteration.

G. Nelson responds that the project was originally repair and restoration, the permit was just for additional square footage (a 616 square foot basement addition).

Chair Pallas notes that the permit expired at the end of last year. He doesn't care if it is extended another six months, although after that, then double fees would be applicable if the project isn't completed.

G. Nelson states that he already has his Ashland County and UDC permits at this time.

The Zoning Administrator states that a permit extension needs a permit application and a \$50 fee.

C. Brummer feels that a permit extension is required.

Chair Pallas moves to instruct Gene Nelson to fill out a permit extension application and pay the \$50 fee and be allowed to finish out the project. G. Thury seconds. All in favor, 6 aye. Motion carries.

S. Soucek rejoins the table.

G. Thury moves to resume the agenda as posted. Chair Pallas seconds. All in favor, 7 aye. Motion carries.

VI. Old Business

- **Comprehensive Plan Review**

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- **Scope of review – possible recommendation to the Town Board**
 - **Procedure and public participation plan**
- C. Baxter says that he'd like to restate that if there's money to be spent for this project, it should be.

The Zoning Administrator notes that there are three different routes to choose when undertaking the Comprehensive Plan:

1. Just tweak the numbers (census/population data, etc.) already in place.
2. Prepare for a revision: send out surveys, hold visioning sessions with the public, but don't actually begin the revision yet.
3. Undertake a total revision.

She notes that there are some important points to consider: the future land use map in the Comprehensive Plan is erroneous (it doesn't match the Zoning Ordinance map in some aspects). Wisconsin state statutes require a revision of Comprehensive Plans every ten years (La Pointe's would be due in 2016 and revision projects tend to take a couple of years).

C. Brummer feels that the Town Plan Commission needs a professional facilitator. The process involves more than changing the technical details (option 1). A facilitator would help maximize our time.

Chair Pallas agrees with C. Brummer that a professional facilitator will be necessary. He feels that before the Town Plan Commission even gets started, they need to have a joint meeting with the Town Board. He also feels the Town Plan Commission doesn't have the resources to do a proper revision currently, and that funds to retain an attorney during the actual revision will be necessary.

Dave Thomas states that the Town Plan Commission is capable of undertaking a quality revision and he hopes that the Town Board doesn't take the process over. The primary reason to sit down with the Town Board is to get adequate funding for planning and legal costs. He recommends that the Town Plan Commission present the Town Board with a clear list of needs and plan options.

- **Board of Appeals text change language**
- This item is postponed until the next meeting.

VIII. Future Agenda Items

- **Board of Appeals text change language**
- **Comprehensive Plan Review**

IX. Schedule Future Meetings

- Next Special Monthly Meeting to be held Wednesday, March 6, 2013, at 4:30 pm.

X. Adjournment

G. Thury moves to adjourn. S. Soucek seconds. All in favor. Motion Carries. Meeting ends at 5:45 pm.

Town Plan Commission minutes respectfully submitted by Margaretta Kusch, ZCA on Monday, March 04, 2013.

Town Plan Commission minutes approved as amended Wednesday, March 06, 2013.

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